

*efiled 5/4/07

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 05-00681 JF
)	
Plaintiff,)	ORDER CONTINUING CASE AND
)	EXCLUDING TIME UNDER THE
v.)	SPEEDY TRIAL ACT, 18 U.S.C. § 3161
)	
FELIX LEYVA-ANAYA,)	
a/k/a Felix Leyva,)	
)	
Defendant.)	

This matter came before the Court for a possible disposition on Wednesday, May 2, 2007. Counsel for the government and the defendant were present. Based on the hearing, and at the request of the parties, the Court finds pursuant to Title 18, United States Code, Sections 3161(h)(1)(F) and 3161(h)(8)(A), considering the factors set forth in Section 3161(h)(8)(B), that the interests of justice in granting this continuance outweigh the defendant's and the public's interests in a speedy trial inasmuch as the defendant needs additional time for continuity of counsel and investigation and effective preparation, including making an appearance before Magistrate Judge Patricia V. Trumbull.

IT IS HEREBY ORDERED that this case is continued to Wednesday, May 9, 2007 at 9:00 a.m. for setting or disposition.

IT IS FURTHER ORDERED that the period of time from May 2, 2007 through and including May 9, 2007 shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 *et seq.*

DATED: 5/3/07


JEREMY FOGEL
United States District Judge

Copies to be served on:

MATTHEW A. LAMBERTI
Assistant United States Attorney
150 Almaden Boulevard, Suite 900
San Jose, California 95113

MARY E. CONN
55 River Street, Suite 100
Santa Cruz, California 95060